



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

Avi J. ASHKENAZI, et al.

Application Serial No. 09/989,722

Filed: November 19, 2001

For: **SECRETED AND TRANSMEMBRANE
POLYPEPTIDES AND NUCLEIC
ACIDS ENCODING THE SAME**

) Examiner: Wegert, Sandra L.

) Art Unit: 1647

) Confirmation No. 1427

) Attorney's Docket No. 39780-2730 P1C63

) Customer No. 35489

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PRELIMINARY AMENDMENT

MAIL STOP RCE

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

On October 1, 2004, the Examiner made a final rejection to pending Claims 124, 129-131 and 135-145. A Notice of Appeal was filed on March 31, 2005, and Applicants' Appeal Brief was filed August 30, 2005. An amended Appeal brief was filed November 14, 2005 and a second Notice of non-compliance was mailed on February 7, 2006 by the PTO.

Applicants submit herewith a Preliminary Amendment, which accompanies a Request for Continued Examination under 37 C.F.R. §1.114 for the above identified application with a request of four-months extension of time with necessary fees. Applicants' arguments presented in the previously filed Appeal Brief are incorporated herewith in their entirety. Consideration of the following arguments is respectfully requested.

Amendments to the Claims are reflected in the listing of claims that begins on page 2 of this paper.

Remarks/Arguments begin on page 4 of this paper.

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